

1. (Amended) A device for extinguishing and retaining a cigarette, comprising:

a tube having a closed end and an open end, said tube defining an inside diameter arranged and constructed to slidably receive a cigarette, said tube further having a reduced inside diameter portion positioned between said closed end and said open end and arranged and constructed to sealingly engage said cigarette so as to extinguish a lighted tip of said cigarette when inserted past said reduced inside diameter portion, wherein said reduced inside diameter portion comprises at least one circumferential band extending inwardly from said inside diameter of said tube.

4. (Amended) A device for extinguishing and retaining a cigarette, comprising:

a tube having a closed end and an open end, said tube defining an inside diameter arranged and constructed to slidably receive a cigarette, said tube further having a reduced inside diameter portion positioned between said closed end and said open end and arranged and constructed to sealingly engage said cigarette so as to extinguish a lighted tip of said cigarette when inserted past said reduced inside diameter portion, wherein said reduced inside diameter portion comprises a plurality of axially spaced reduced diameter portions.

Please add the following new claims 7-10.

7. The apparatus of claim 3, wherein said tube has a further portion extending between said reduced inside diameter portion and said open end which is larger than said reduced inside diameter portion.

8. The apparatus of claim 1, wherein said reduced inside diameter portion is integrally formed in said tube.

9. The apparatus of claim 1, wherein said reduced inside diameter portion is positioned closer to said closed end of said tube than said open end of said tube.

10. The apparatus of claim 5, wherein said sloped edge is a substantially planar surface extending from said short length side to said long length side of tube.